

Activity Review

North Carolina State Board of Certified Public Accountant Examiners

1101 Oberlin Road, Suite 104 • PO Box 12827 • Raleigh, NC 27605 • (919) 733-4222 • No. 8-2003

Norwood G. Clark, Jr., CPA, Appointed to Board

Robert N. Brooks, Executive Director of the North Carolina State Board of CPA Examiners, recently announced that Governor Michael F. Easley has appointed Norwood G. Clark, Jr., CPA, to the Board.

Clark, whose term will expire June 30, 2006, took the Oath of Office at the July 21, 2003, Board meeting.

He replaced Walter C. Davenport, CPA, who had served on the Board since 1994 (*see page 5*).

Clark previously served on the Board from 1995-2002 and during that time, he served as President for one year and as Vice President for one year.

In addition, he was a member of the Communications Committee, the Executive Committee, the Personnel Committee, the Professional Standards Committee, the Real Estate Committee, and the State Quality Review Advisory Committee.

A native of Wilmington, NC, Clark received his Bachelor of Science in Business Administration from the University of North Carolina at Chapel Hill. He was licensed as a North Carolina CPA in 1973.

Clark was employed by the State of North Carolina from 1965 until 1987 when he left State government to establish a CPA firm in Raleigh.

In July 2003, Clark merged his firm, Clark-McNairy CPA-PC, with the multi-state firm of Dixon Odom PLLC, Certified Public Accountants.

As a Director with Dixon Odom, Clark's primary focus is the further development of not-for-profit and governmental client services.

Clark is active in the American Institute of CPAs (AICPA) and previously served on the Legislative Affairs Committee.

He is also an active member of the North Carolina Association of CPAs (NCACPA) and previously served as Treasurer of the NCACPA.

He also served as Chair of the Political Action Committee and as Chair of the Governmental and Legislative Affairs Committee.

Clark was an appointed member of the North Banking Commission, but resigned that position when he was appointed to the North Carolina State Board of CPA Examiners on July 1, 2003.

As a Governor-appointed member of the Board of Trustees governing the State and Local Retirement Systems, Clark represents the interests of retired State of North Carolina employees.

Clark and his wife, Judy Reasons Clark, live in the Garner area and are members of Holland United Methodist Church.



Norwood G. Clark, Jr., CPA

www.cpaboard.state.nc.us

Inside this issue...

Board Meetings6
Certificates Issued4
Contact the Board2
Do Not Call Registry4
FASB Posts Statements on Web 4
Inactive Status7
In Memoriam: Judith Macomber 3
Internet Scam6
Notice of Address Change8
Outsourcing Client Tax Returns 2
PCAOB Registration6
Reclassifications6
Resolution: Walter C. Davenport 5

The Ethics of Outsourcing Client Tax Returns

Business process outsourcing--contracting business processes to outside service vendors--is not a new concept and the accounting industry has long taken advantage of the benefits of outsourcing.

However, a growing trend among CPA firms is causing concern among regulators.

Anumber of CPA firms, both multistate and local, have begun using the burgeoning outsourcing and technology markets in India to process client tax returns.

According to Kevin Robert, Chief Executive of CCH Tax Compliance, a tax software company that provides software for an India-based outsourcer, the work being performed is not simple data entry.

"We're taking in raw tax-source information and there are going to be levels of interpretation," he said in an interview with the *Seattle Times*.

Although the North Carolina Accountancy Statutes and Administrative Code do not expressly prohibit the practice of outsourcing the preparation of client tax returns, there are several rules a CPA must consider when outsourcing services.

One prime concern is maintaining the confidentiality of client records.

Pursuant to 21 NCAC 8N .0205, Confidentiality, a CPA shall not disclose any confidential information obtained in the course of employment or a professional engagement except with the consent of the employer or client.

To process a tax return, the preparer must have sensitive client information such as the client's Social Security Number, date of birth, bank and brokerage statements, credit card information, salary, etc.

In short, much of the information that can be used to perpetrate identity theft.

Although some outsourcing centers promise to protect financial information by eliminating the workers ability to download, print, scan or copy financial data, critics of outsourcing question how tax returns can be pro-

cessed without workers being able to perform those tasks.

Ultimately, the CPA firm has the responsibility to ensure the confidentiality of its clients' information.

In addition, CPA firms, like banks and brokerage firms, are covered under the Gramm-Leach-Bliley Act which governs financial privacy.

Under the Act, the mandatory annual privacy notice must state with whom a company shares its clients' non-public information, how the company protects or safeguards that information, and how a client may opt out of having that information shared with other companies like outsourcing centers

The competence of the workers at the outsource centers is also of concern to regulators; the workers may have minimal training and may have no background in US tax law.

21 NCAC 8N .0212, Competence, requires that a CPA shall perform professional services competently and shall exercise due professional care in the performance of an engagement.

Pursuant to 21 NCAC 8N .0301, *Professional Judgment*, a CPA shall not subordinate the CPA's professional judgment to non-CPAs.

Although some of the companies that offer outsourcing in India promise to hire only Chartered Accountants with an education that is as least equivalent to a CPA's education and training in US

tax law, the CPA firm using the outsource center must be diligent in selecting a company in which the workers are properly educated and trained.

If your CPA firm has professional liability insurance coverage, you should check with your insurance carrier to see if your policy covers the firm when using an outsource center.

The accuracy of the tax return remains the ultimate responsibility of the CPA firm and all returns prepared by an outsource center must be reviewed by the CPA firm and the signing CPA.

Consolidations in the accounting industry have created unprecedented change--competition is more intense than ever.

As the pressure for better bottom line results increase, outsourcing is seen as one solution.

If your CPA firm is considering outsourcing the preparation of client tax returns, remember that a North Carolina CPA is responsible for ensuring that any partner, shareholder, officer, director, unlicensed principal, proprietor, employee or agent, including outsource personnel comply with the Board's rules on Professional Ethics and Conduct.

If you have questions regarding the Board's rules as they relate to the outsourcing of client tax returns, please contact Robert N. Brooks, the Board's Executive Director, by telephone at (919) 733-4222 or by e-mail at rnbrooks@bellsouth.net.

Contact the Board

Main Telephone Number (919)733-4222

Fax Number (919)733-4209

Toll-Free Application Line 1-800-211-7930

Address

1101 Oberlin Road, Suite 104 PO Box 12827 Raleigh, NC 27605

Web Site

www.cpaboard.state.nc.us

Administrative Services

(919)733-4223

Communications (919)733-4208

Examinations (919) 733-4224

Licensing - Applications (919)733-1422

Licensing - Firms/SQR/CPE (919)733-1423

Professional Standards (919)733-1426

In Memoriam: Judith Ann Eastwood Macomber



Judith Ann Eastwood Macomber 1942 - 2003

It is with great sadness that the North Carolina State Board of CPA Examiners announces the death of Judith Macomber, the Board's Examinations Manager.

Judie, as she was known to friends and family, passed away July 24, 2003, as the result of injuries she received in a fall on July 20, 2003.

A Service of Remembrance was held on July 27, 2003, at Brown-Wynne in Raleigh.

Judie was born October 9, 1942, in Huntington, NY, to Frances R. Eastwood and the late James W. Eastwood.

Raised in Rhode Island, Judie graduated from the University of Rhode Island in 1964 with a Bachelor of Science in Home Economics Education with a minor in English.

She later continued her education by taking graduate-level classes at East Carolina University in Greenville, NC.

In October 1986, Judie joined the Board staff as Examinations Manager, and one month later, she administered the November 1986 Uniform CPA Exam in Raleigh—the first time the exam had been given at the Raleigh Convention and Conference Center.

As Examinations Manager, Judie had extensive contact with exam applicants and often said that the best part of her job was helping applicants navigate the sometimes confusing exam application process.

She especially took pleasure in helping find alternatives for meeting the exam application requirements for those one or two percent of the applicants who didn't fit the mold.

Judie felt that it was important that each applicant be given the information that he or she needed so that each individual could be one step closer to attaining his or her goal of becoming a CPA.

Judie was an avid and eclectic reader who enjoyed solving crossword and jigsaw puzzles.

She also enjoyed traveling, and in recent years, had visited Italy, England, and Scotland.

Diagnosed with diabetes as a child, Judie refused to let the disease put a damper on her zest for living--she became a certified SCUBA diver when she was in her 50s.

In 2000, the Joslin Center for Diabetes recognized Judie for living courageously with diabetes for 50 years.

Judie will best be remembered for her sense of humor, unflagging energy, and tenacious drive.

She gave her friendship unconditionally, and as result had hundreds of friends not only across the United States, but also around the world.

To the Board staff, Judie was more than a co-worker, she was family, and we will miss her greatly.

Judie is survived by her beloved mother, Frances R. Eastwood, of Raleigh, NC; her brother, David R. Eastwood, of Port Washington, NY; her daughter, Lisa Macomber Pauer, of Brevard, NC; her son, Steven E. Macomber, of Charlotte, NC; and her grandchildren, Barrett, Erica, and Zoe; and her great love, David McLemore, CPA, of Clinton, NC.

Memorial contributions may be made to the Joslin Diabetes Center, One Joslin Place, Boston, MA 02215.

One of Judie's favorite poems was James Leigh Hunt's, *Abou Ben Adhem*, which was written in 1834:

Abou Ben Adhem

Abou Ben Adhem (may his tribe increase!)
Awoke one night from a deep dream of peace,
And saw, within the moonlight in his room,
Making it rich, and like a lily in bloom,
An Angel writing in a book of gold:

Exceeding peace had made Ben Adhem bold,
And to the Presence in the room he said,
"What writest thou?" The Vision raised its head,
And with a look made of all sweet accord
Answered, "The names of those who love the Lord."

"And is mine one?" said Abou. "Nay, not so, " Replied the Angel. Abou spoke more low, But cheerily still; and said, "I pray thee, then, Write me as one who loves his fellow men."

The Angel wrote, and vanished. The next night
It came again with a great wakening light,
And showed the names whom love of God had blessed,
And, lo! Ben Adhem's name led all the rest!

Do Not Call Registry

The Federal Government has created the National Do Not Call Registry to make it easier and more efficient for you to stop getting telemarketing sales calls you don't want.

Placing your number on the registry will stop most, but not all, telemarketing calls.

Registration is free and is valid for five years.

If you have an active e-mail address, you can register up to three phone numbers on line at **donotcall.gov**.

If you prefer, you can call toll-free, 1-888-382-1222, from the number you wish to register.

FASB Posts Full Text of Statements on Web

The Financial Accounting Standards Board (FASB) has answered the call for web access to accounting principles by posting the statements on line.

The status, summary, and full text of Statements 1 through 150 are now available on line through the FASB web site (www.fasb.org) and are free of charge to visitors.

All statements are presented in PDF format, requiring the reader to have Adobe Acrobat Reader 5.0 or higher installed on his or her computer.

(To obtain the free download of Adobe Acrobat Reader, visit the Adobe

web site, **www.adobe.com**, and click on the link, "Get Acrobat Reader.")

The FASB web site states, "FASB Statements are presented as originally issued. There is no shading or sidebars to indicate amendments made by subsequent pronouncements. FASB Statements that are completely superseded are noted as such on the title page. In order to determine which, if any, provisions of a particular FASB Statement have been changed, you must access the "Status" link located with each Statement."

To access the documents, go to the FASB web site, www.fasb.org, and click on the link, "FASB Statements," or use the URL, www.fasb.org/st.

Certificates Issued

At its June 23, 2003, and July 21, 2003, meetings, the Board approved the following certificate applications:

Rhonda Allen

Vikki Elayne Anderson

Margaret Connors Asher

Linda Marie Axelson

Amy Lynn Bibby

William Alexander Bridgeman

Russell Philip Buck

Anthony Carl Caterino, Jr.

William Taylor Campbell, III

Tommy P. Charurat

Wendy B. Cheek

Melanie Ann Conner

Duane Aaron Danner

Karen Davis Daugherty

Kevin Andrew Dean

Michelle Warren Duffy

Susan Leigh Flowers

Arara Marria Errara

Ann Marie Frey

Yvette Marie Frusciante

Dorreen Loraine Gaudian

Ronald F. Geary

Kathryn Kay Gillis

Alexander G. Glover

Whitney Miller Grant

Debra Lynn Guthmiller

Angela W. Hayes

Clarence Fillmore Hayes, III

Kenneth H. Hayes

Tara Lea Hazelbaker

Gregory Gibson Holsinger

Clint Alan Hyden

Benjamin Garrett Johnson

Jamiel Charbel John Kadri

Karen Nicole Keys

Gina D. Lawrence

Frieda Marie Liles

Kirk Hall Low, Jr.

Abdul Khadri Mahdi

William Mattox Marshburn, II

James Leslie Massengale

John Patrick McGee

Scott Matthew McKay

Richard P. McKenzie

Susan Marlowe Melvin

Robert Gerard Merz

Dennis Allen Michele, II

Terry A. Monday

Katherine Gwen Neville

Patricia Suzanne Ory

Kathleen S. Owens

Matt Benjamin Parker

Eve-Simone Pastor

Evelyn Peterson Phillips

Andrew Derickson Potts

Adina Procop

Paul Gerard Pustorino

Herman Ray

Amy Coyle Redies

Sara Reynolds Reid

Lynn Center Richardson

Andrea Ennis Roberson

Ianice S. Scott

Eric Michael Sherman

Patricia Dawn Sherman

Whitney Loraine Simpson

Gordon Quentin Slade

Shawn Paul Smith

Rhonda Ann Thomas

Camilla Ward Tucker

Classic I. Townson

Cherie L. Turner

Patricia T. Wagner

Stacy Malmin West

Jason Sidney White

Amy Patton Wilkinson

Kara Wise

Paula Marie Zink

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS



RESOLUTION

WHEREAS, Walter C. Davenport has served as a member of the North Carolina State Board of Certified Public Accountant Examiners since 1994;

WHEREAS, during his tenure he served as President, Vice President, and Secretary-Treasurer of the Board; and Chair of the Executive Committee, the Professional Standards Committee, and the Personnel Committee;

WHEREAS, he has represented the Board and the profession through his service on numerous committees of the National Association of State Boards of Accountancy and the American Institute of CPAs;

WHEREAS, during his tenure he has served faithfully and tirelessly, and has risen as a leader in his profession and is an eloquent spokesman for the best interest of the public and the profession;

BE IT THEREFORE RESOLVED that the members of the North Carolina State Board of Certified Public Accountant Examiners thank Walter C. Davenport for his dedicated service, his personal sacrifice to serve the public interest, and his leadership to the Board.

This the 21st day of July 2003.

North Carolina State Board of Certified Public Accountant Examiners

O. Charlie Chewning, Jr., CPA

President



FBI Warns of New Internet Scam

Spam e-mail and phony web sites are increasingly trying to trick consumers into giving away their personal and financial information, the FBI and Internet experts say.

Several large businesses—including banks, Internet service providers and on line merchants—have been targeted recently by people who send out "spoofed" e-mail masquerading as messages from the companies' accounting or customer service departments.

The scam artists send out unsolicited e-mail that typically tells recipients their account information is incomplete or expired and provides a link to fake web pages called "phishing sites," where the victims are asked to type in their data. The spam e-mail looks like it came from the legitimate company.

When people plug their personal information into the phishing Web sites—often near-perfect replicas of real sites—the data is sent to thieves, not legitimate companies.

"Bogus e-mails that try to trick customers into giving out personal information are the hottest and most troubling new scam on the Internet," Jana Monroe, assistant director of the FBI's Cyber Division, said in a recent statement..

The FBI says web spoofing scams are contributing to a rise in identity theft, credit card fraud and other Internet scams.

The agency's Internet Fraud Complaint Center has seen a steady increase in complaints from consumers who were directed to phony "customer service" web sites by unsolicited e-mail.

The number of on line fraud complaints the agency received rose 67% last year to more than 75,000, and consumers reported losses from on line fraud totaling \$54 million, the agency reports.

The Federal Trade Commission reported earlier this year that cases of identity theft increased about 88% last year, with 161,800 identity theft complaints, up from 86,200 in 2001.

Identity theft accounted for 43% of all its fraud complaints, according to the report.

Any company doing business on the Internet — and any person using their services — could get hooked.

"Before March, we had not seen anything like this, but from March until now, we have seen five or six a month," said Susan Getgood, a senior vice president at SurfControl in Scotts Valley, Calif., which makes web and e-mail filtering software.

Getgood said that scammers use phishing to cast a wide net because "they just need to get a few of you."

"Spam is the organized crime of the Internet, and this is the ultimate crime to date because it damages the victim, and it is also damages the brand of the companies."

Reclassifications

Reinstatements

Peter Wood Craymer #12964 John Michael Del Greco #27479 Ocie Kyle Hogan, III #14675 Grant Joel Johnson #26815 William John MacMinn #13067 Todd Wayne Strange #14621 Anissa Nicole Truesdale #25720

Reissuances

William Burwell Tarry, III #19643

Retired

"Retired," when used to refer to the status of a person, describes one posessing a North Carolina certificate of qualification who verifies to the Board that the applicant does not receive, or intend to receive in the future, any earned compensation for current personal services in any job whatsoever and will not return to active status [21 NCAC 8A .0301(b)(23)].

Earl Henry Goodwin Rocky Mount, NC

Bobby Ray Harrington Raleigh, NC

Raymond Grant Hilliard Asheboro, NC

Michael J. Jett Phoenix, AZ

John David McLawhorn, Jr. Cary, NC

John A. Rollins Easley, SC

PCAOB Launches Registration System

On July 17, 2003, the Public Company Accounting Oversight Board (PCAOB) launched its registration system for public accounting firms and set the fees that will cover the costs of processing and reviewing the registration applications.

The Sarbanes-Oxley Act of 2002 and the PCAOB's rules require the registration of all public accounting firms that issue or prepare audit reports on US public companies, or that

play a substantial role in the preparation of such audit reports.

Beginning on Oct. 22, 2003, US public accounting firms must be registered with the PCAOB in order to engage in that work.

Public accounting firms that wish to apply for registration must do so by completing and submitting *Form 1*, available to qualified applicants through the PCAOB's web site, www.pcaobus.org.

Board Meetings

September 22

October 20

November 24

December 19

Meetings of the Board are open to the public except, when under State law, some portions of the meetings are closed to the public.

Unless otherwise noted, meetings are held at the Board's office in Raleigh and begin at 10:00 a.m.

Inactive Status

"Inactive," when used to refer to the status of a person, describes one who has requested inactive status and been approved by the Board and who does not use the title "certified public accountant" nor does he or she allow anyone to refer to him or her as a "certified public accountant" and neither he or she nor anyone else refers to him or her in any representation as described in $21 \, \text{NCAC 8A .0308(b)} \, [21 \, \text{NCAC 8A .0301(b)(23)}].$

07/01/02		07/15/02	
07/01/03 Warren Gamaliel Stone	Palaigh NC	07/15/03 Delain F. Cross	Malaan WA
Carol Ann Doerr	Raleigh, NC Dallas, TX	Delain E. Gray 07/17/03	McLean, VA
Thomas Dean Myrick	Charlotte, NC	Hsiang-Hui Hillary Chen	San Mateo, CA
Allen Lee Hincher	Ronda, NC	Kathryn Megan Parks	Charlotte, NC
Steven Dean Parkins	Glen Allen, VA	07/21/03	Charlotte, IVC
Karen Mobley Spencer	Garner, NC	David Alan Berenson	Arlington, VA
Caroline Davis Campbell	Raleigh, NC	John William Ward, III	Chesterfield, VA
Cameron C. Davenport	Wallace, NC	07/22/03	Chesterneia, vii
James Christopher Brewington	Wilmington, NC	Kevin Nichols Waller	Tallahassee, FL
Mary V. Roy	Camillus, NY	James Albert Taylor	Charlotte, NC
Randolph Alan Waller	Wilmington, NC	Danial Max Evilsizer	Bennettsville, SC
Brandy Tenille Fleming	Fuquay-Varina, NC	Rebecca Dugger Ganzhorn	Clemmons, NC
Lee-Ashley Jernigan Bonfield	Raleigh, NC	Thomas Lee Lance	Columbia, SC
Bryan Hayes Joslin	San Diego, CA	John Mark Allan	Atlanta, GA
Michael John Addison	Chapel Hill, NC	07/23/03	,
07/02/03	1	Carlisle Clarke Moore, Jr.	Rock Hill, SC
James Allen Gentry, Jr.	Snellville, GA	Alfred Lee Durrance, Jr.	Crawfordville, FL
Janet Elaine McConnell	Decatur, GA	Joseph Edward Oprosko, Jr.	Old Bethpage, NY
Craig Clinton Ostrander	Raleigh, NC	07/24/03	1 0 /
Robert Kent Huskey	Atlanta, GA	William Earle Brock	Wilmington, NC
Timothy Scott Nash	Wilmington, NC	Henry Gundry Crowgey, II	Taylorsville, NC
07/03/03		Patrick Perry Walters	Nashville, TN
Edward Chacey Yeaton	Highland Village, TX	Robert William Knox	Netherlands
Denise Maher Green	Summerfield, NC	07/25/03	
Tracey Phillips Mason	Waynesville, NC	Sophia C. Schell	Charlotte, NC
07/07/03		Steven Daniel LaDew	Jersey City, NJ
Donna Jean Earp	Greensboro, NC	Brent Edward Reel	Huntersville, NC
Angela Addis Swartz	Poway, CA	07/28/03	
Maria Morris Garner	Raleigh, NC	Carol ter Wee	Raleigh, NC
Karen Marie Fitchard LaPiana	Charlotte, NC	Marilyn Moeller Simpson	Greensboro, NC
Shea Whittaker Hughes	Charleston, TN	Thomas Kelley Moore	Durham, NC
Matthew H. Gray	Charlotte, NC	John William English	Charlotte, NC
07/08/03		Howard Alan Sosoff	Milwaukee, WI
O. Kent Player	Kennesaw, GA	Christopher James Hempe	Matthews, NC
Michael S. Walker	Winterville, NC	07/29/03	
07/09/03	,	Earl Lunsford Taylor	Charlotte, NC
Joseph Beckham Robertson, Jr.	Raleigh, NC	Hugh Alexander Holmes	Raleigh, NC
07/10/03	8.7,	Leon McCree Bowman	Durham, NC
Sarah Clarke Hegarty	Southborough, MA	Steven Judson Crowell	Pfafftown, NC
07/11/03	000000000000000000000000000000000000000	Daphne Council Wagoner	Thomasville, NC
Jon Wayne Bartley	Raleigh, NC	Jacqueline Hurst Sasser	Sparks, MD
Patricia Irish Howell	Germantown, MD	DeAnnah Miller Baker	Charlotte, NC
Kate Armst Lee	Dunwoody, GA	Glenn Berkley Walker	Roanoke, VA
07/14/03	Banweday, Gri	James Benjamin Harris Herndon	Greensboro, NC
Charles Edwin Watts	Raleigh, NC	Clifton H. Gilliam	Silver Spring, MD
Robert Acker	Mead, CO	Robert Eric Teague	Greenville, NC West New York, NY
Catherine Elizabeth Peeler Kirby	Winter Springs, FL	Nicole Johnson Hinton Joel Andrew Good	Charlotte, NC
Joy May Googe	Lewisville, NC	Michael Scott Kelly	Conover, NC
Brian David Kurtz	Hudson, OH	Daryl A. Lengel	Colliersville, TN
Leshia Harris Smith	Mooresville, NC	Robert Chasteen Holman	Hattiesburg, MS
Lesina Hailis Simul	ivioutesville, INC	John K. Fletcher	New York, NY
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State Board of CPA Examiners

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Notice of Address Change

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Certificate holders not notifying the Board in writing within 30 days of any change in address or business location may be subject to disciplinary action under 21 NCAC 8J .0107.